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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

SHIMIZU, MATSUICHIRO

ART UNIT

PAPER NUMBER

2635

8

DATE MAILED: 05/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/615,473

Applicant(s)

ESCOBOSA ET AL.

Examiner

Matsuichiro Shimizu

Art Unit

2635

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 July 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-48 and 50-53 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-48, 50- 53 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 July 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4-6.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Specification

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Abstract provided by applicant exceeds 150 words. The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words.

Claim Objections

The numbering of claims is not in accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution. When claims are canceled, the remaining claims must not be renumbered. When new claims are presented, they must be numbered consecutively beginning with the number next following the highest numbered claims previously presented (whether entered or not).

Missing claim is claim 49.

The numbering of claims is not in accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution.

Art Unit: 2635

When claims are canceled, the remaining claims must not be renumbered. When new claims are presented, they must be numbered consecutively beginning with the number next following the highest numbered claims previously presented (whether entered or not).

"Claim 47 depends on 47" is inconsistent.

Claim Rejections – 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1, 4-11, 15-16, 31,35,37,39, 43,46,48,50-51 and 53 are rejected under 35 U.S.C. 102(e) as being anticipated by Kemink (WO0017738).

Regarding claim 1, Kemink teaches a method of selecting command codes for use in a remote control, the method comprising: displaying to a user at a client computer (Fig. 2, computer 210), a plurality of operations (lines 8-12, page 8, delete or include commands associated with icons) capable of being performed by a

Art Unit: 2635

consumer electronic device (lines 8–7, downloading to the control device associated with the electronic device); and in response to a user selecting one of the displayed plurality of operations at the client computer, selecting from a database accessible to a server computer a command code (lines 20–25, page 8, controlling selected appliance via GUI on the control device) that will cause the consumer electronic device to perform the selected operation when transmitted from the remote control.

Regarding claim 4, Kemink teaches the method of claim 2, wherein the step of displaying the image representing the remote control comprises the step of indicating configurable keys (lines 18–22, page 7, new key layout associated with new features and enhancement).

Regarding claim 5, Kemink teaches the method of claim 1, comprising the step of displaying a selection comprising a plurality of consumer electronic devices to the user (lines 10–13, a list of appliances to be selected).

Regarding claim 6, Kemink teaches the method of claim 5, comprising the step of selecting a particular consumer electronic device manufactured by a particular manufacturer in response to a selection by a user from a plurality of manufacturers (lines 10–13, a list of appliances to be selected)..

Regarding claim 7, Kemink teaches the method of claim 1, wherein the step of displaying comprises transmitting a Web page from the server computer to the client computer, the Web page having information for displaying to the user the plurality of operations (lines 3–20, page 6, Browser associated with internet site coupled to the internet access device 210).

Regarding claim 8, Kemink teaches the method of claim 1, comprising the step of transmitting the command code for downloading to the remote control (lines 3–20, page 6, selected GUI is downloaded to remote 100).

Regarding claim 9, Kemink teaches the method of claim 8, wherein the step of transmitting the command code comprises the step of transmitting the command code to a user selected location (lines 3–20, page 6, selected GUI is downloaded to remote 100 at selected location (lines 26–30, page 5, locations associated with appliance locations (251–254)).

Regarding claim 10, Kemink teaches the method of claim 9, wherein the step of transmitting comprises the step of transmitting the command code to the client computer (lines 10–13, computer associated with the internet access device 210).

Regarding claim 11, Kemink teaches the method of claim 8, wherein the step of transmitting the command code comprises the step of transmitting the command code to a predetermined location (lines 26–30, page 5, locations associated with fixed appliance locations (251–254)).

Regarding claim 15, Kemink teaches the method of claim 8, comprising the step of shipping the customized remote control to a predetermined location (lines 26–30, page 5, predetermined locations associated with fixed appliance locations (251–254)).

Regarding claim 16, Kemink teaches the method of claim 8, comprising the step of shipping the customized remote control to a user selected location (lines 26–30, page 5, (lines 26–30, page 5, user selected locations associated with fixed appliance locations (251–254)).

All subject matters in claim 35, are disclosed in claim 1, and therefore rejection of the subject matters expressed in claim 35 are met by references and associated arguments applied to rejection of claim 1.

All subject matters in claims 31, 48 and 50-51 are disclosed in claims 1 and 8, and therefore rejection of the subject matters expressed in claim 31, 48 and 50-51 are met by references and associated arguments applied to rejection of claims 1 and 8.

All subject matters in claim 37 are disclosed in claims 1 and 7, and therefore rejection of the subject matters expressed in claim 37 are met by references and associated arguments applied to rejection of claims 1 and 7.

All subject matters in claim 39 are disclosed in claims 8-9, and therefore rejection of the subject matters expressed in claim 39 are met by references and associated arguments applied to rejection of claims 8-9.

All subject matters in claim 43 are disclosed in claims 7-8, and therefore rejection of the subject matters expressed in claim 43 are met by references and associated arguments applied to rejection of claims 7-8.

All subject matters in claim 53 are disclosed in claims 1 and 4, and therefore rejection of the subject matters expressed in claim 53 are met by references and associated arguments applied to rejection of claims 1 and 4.

All subject matters except receiving from user information identifying an original equipment manufacturer's (OEM) device in claims 46 are disclosed in claim 1. However, Kemink teaches receiving from user information identifying an original equipment manufacturer's (OEM) device (lines 10-15, page 4). Therefore rejection of the subject matters expressed in claims 46 are met by references and associated

Art Unit: 2635

arguments applied to rejection of claim 1 and to rejection provided in the previous paragraph.

Claim Rejections – 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 36, 44–45 are rejected under 35 U.S.C. 102(b) as being anticipated by Goldstein (5,410,326).

Regarding claim 36, Goldstein teaches a customizable hand held device comprising: a hand held unit having a display screen (Fig. 1, col. 7, lines 4–41, screen with device display); memory (col. 12, lines 34–47, Rom 90 and RAM 61) communicable with the display screen and including at least three devices (Fig. 1, col. 7, lines 4–41, three devices associated with icons 11–22), wherein at least two of the at least three programming sets are associated with a common brand; and set up programming in the unit for enabling a user to select at least one of the at least three programming sets during a set up mode (abstract, lines 13–16, setup between cable converter and service via phone line) , wherein the at least two programming sets associated with the common brand are represented in a prioritized order (Figs. 1– col. 8, line 65 to col. 10, line 39, prioritized order in view of TV and TV channel selection and VCR selection).

Regarding claim 44, Goldstein teaches a remote control comprising: a touch screen displaying graphical user interfaces and programming (Figs. 1–2D, col. 8, line

Art Unit: 2635

65 to col. 10, line 39, programming in prioritized order in view of TV and TV channel selection and VCR selection) for displaying the graphical user interfaces according to a predetermined priority schema (Figs. 1– col. 8, line 65 to col. 10, line 39, prioritized order in view of TV and TV channel selection and VCR selection).

Regarding claim 45, Goldstein teaches a handheld user interface for use in an interactive environment, the interface comprising: a touch screen (Fig. 9, col. 11, line 44 to col. 12, line 12, touched icon 81); means for displaying on the touch screen an icon representing a purchased service (Fig. 9, col. 11, line 44 to col. 12, line 12, accessing purchased service via touched icon 81); means for receiving a code associated with the purchased service (Fig. 9, col. 11, line 44 to col. 12, line 12, DTMF signal to connect with pizza store via touched icon 81), wherein the code provides access to the purchased service (Fig. 9, col. 11, line 44 to col. 12, line 12, accessing purchased service via touched icon 81); and means for transmitting the code to gain access to the purchased service upon actuation of the purchase icon (Fig. 9, col. 11, line 44 to col. 12, line 12, accessing purchased service via touched icon 81).

Claim Rejections – 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 2635

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 2-3, 12-14, 17-20, 22-26, 28-29, 38,40-42 and 47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kemink in view of Foster (6,211,870).

Regarding claim 2, Kemink teaches the method of claim 1, comprising the step of displaying an image of appliance (lines 15-17, page 6, graphic user interfaces corresponding to the selected appliance). But Kemink does not teach displaying an image representing the remote control.

However, Foster teaches, in the art of remote control system, displaying an image representing the remote control (Fig. 7, col. 9, lines 46-65, representation 721 of remote control unit 200) for the purpose of providing customized remote control device. Therefore, it would have been obvious to a person skilled in the art at the time the invention was made to include displaying an image representing the remote control in the device of Kemink because Kemink suggest displaying an image of appliance and Foster teaches displaying an image representing the remote control for the purpose of providing customized remote control device.

Regarding claim 3, Kemink teaches the method of claim 2, wherein the step of displaying the image representing the remote control comprises the step of indicating newly configured keys (lines 18-22, page 7, new key layout associated with new features and enhancement).

Regarding claims 12 and 14, Kemink, as disclosed in claim 8, to disclose the step of transmitting the command code for downloading to the remote control (lines 3–20, page 6, selected GUI is downloaded to remote 100). But Kemink does not teach the step of providing customized labeling and the step of providing pre-printed labeling.

However, Foster teaches, in the art of remote control system, the step of providing customized labeling and the step of providing pre-printed labeling (Fig. 10, col. 10, lines 44–49, labeling the title “Custom” 1066 where the labeling is in pre-printed state) for the purpose of providing reconfiguration and pre-printed labeling of control device. Therefore, it would have been obvious to a person skilled in the art at the time the invention was made to include the step of providing customized labeling and the step of providing pre-printed labeling in the device of Kemink because Kemink suggest the step of transmitting the command code for downloading to the remote control and Foster teaches the step of providing customized labeling and the step of providing pre-printed labeling for the purpose of providing reconfiguration and pre-printed labeling of control device.

Regarding claim 13, Kemink in view of Foster teaches the method of claim 12, wherein the step of providing customized labeling (Foster–Fig. 10, col. 10, lines 44–49, labeling the title “Custom” 1066 where the labeling is in pre-printed state) comprises the step of shipping the customized labeling from a predetermined location (Kemink–lines 26–30, page 5, locations associated with fixed appliance locations (251–254)).

Regarding claims 17–18, Kemink, as disclosed in claim 1, to disclose selecting from a database accessible to a server computer a command code (lines 20–

Art Unit: 2635

25, page 8, controlling selected appliance via GUI on the control device). But Kemink does not teaches the step of generating a customized label for indicating to the user a mapping between a key of the remote control and the command code; and the step of transmitting a code sequence to the client computer to re-configure a portion of the customized remote control.

However, Foster teaches, in the art of remote control system, the step of generating a customized label for indicating to the user a mapping between a key of the remote control and the command code (col. 9, lines 53-65, representation 726 of the programmable remote control unit 2000) and the step of transmitting a code sequence to the client computer to re-configure a portion of the customized remote control (col. 10, lines 44-64, edit and modify the shape and location of soft keys) for the purpose of providing reconfiguration of control device. Therefore, it would have been obvious to a person skilled in the art at the time the invention was made to include the step of generating a customized label for indicating to the user a mapping between a key of the remote control and the command code and the step of transmitting a code sequence to the client computer to re-configure a portion of the customized remote control in the device of Kemink because Kemink suggests selecting from a database accessible to a server computer a command code and Foster teaches the step of generating a customized label for indicating to the user a mapping between a key of the remote control and the command code and the step of transmitting a code sequence to the client computer to re-configure a portion of the customized remote control for the purpose of providing reconfiguration of control device.

All subject matters in claim 19 are disclosed in claims 1, 12, 14 and 18, and therefore rejection of the subject matters expressed in claim 19 are met by references and associated arguments applied to rejection of claims 1, 12, 14 and 18.

All subject matters in claims 20 and 22 are disclosed in claims 1, 12, 14 and 18, and therefore rejection of the subject matters expressed in claims 20 and 22 are met by references and associated arguments applied to rejection of claims 1, 12, 14 and 18.

All subject matters except a Web page for displaying to a user in claims 23 are disclosed in claims 1-2. However, Kemink teaches a Web page for displaying to a user (line 22, page 5 to line 20, page 6, Web page associated with internet sit via Access device 210). Therefore rejection of the subject matters expressed in claims 23 are met by references and associated arguments applied to rejection of claims 1-2 and to rejection provided in the previous paragraph.

Regarding claim 24-25, Foster teaches the method of claim 23, comprising placing the virtual configuration in a transmission and transmitting the virtual configuration to a user selection location (Fig. 8, col. 11, lines 36-44, configuration or image is downloaded to the remote control device 200 located at specific location).

Regarding claim 26, Kemink teaches the method of claim 23, comprising the step of shipping a customizable consumer electronic device to a predetermined location, wherein the customizable consumer electronic device is the customized consumer electronic device prior to customization (Fig. 2, lines 26-30, a variety of appliances 251-254 that are potentially controllable by the remote control device 100).

All subject matters in claims 28–29 are disclosed in claim 23, and therefore rejection of the subject matters expressed in claims 28–29 are met by references and associated arguments applied to rejection of claim 23.

All subject matters in claim 38 are disclosed in claims 1–3, and therefore rejection of the subject matters expressed in claim 38 are met by references and associated arguments applied to rejection of claims 1–3.

All subject matters in claims 40 and 42 are disclosed in claims 1,8 and 12, and therefore rejection of the subject matters expressed in claims 40 and 42 are met by references and associated arguments applied to rejection of claims 1,8 and 12.

All subject matters in claim 41 are disclosed in claims 1–2, and therefore rejection of the subject matters expressed in claim 41 are met by references and associated arguments applied to rejection of claims 1–2.

Regarding claim 47, Kemink in view of Foster teaches the method of claim 46, wherein the user's device is a handheld remote, the face layout comprises a key layout corresponding to the OEM device (Kemink–lines 10–15, page 4, OEM development by manufacturers), and wherein the step of selecting comprises selecting command codes associated with keys represented in the key layout (Foster–Fig. 9, face layout).

Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kemink in view of Foster (6,211,870) as applied to claim 26 above, and further in view of Sakurai (6,378,115).

Regarding 27, Kemink teaches the method of claim 26, wherein the step of shipping a customizable consumer electronic device to a predetermined location,

wherein the customizable consumer electronic device is the customized consumer electronic device prior to customization (Fig. 2, lines 26–30, a variety of appliances 251–254 that are potentially controllable by the remote control device 100). But Kemink in view of Foster does not teach the step of transmitting comprises programming the virtual configuration into a microchip and the method comprises the steps of shipping the microchip to predetermined location; and installing the microchip in the customizable consumer electronic device.

However, Sakurai teaches, in the art of chip design system, the step of transmitting comprises programming the virtual configuration into a microchip (col. 1, lines 6–12; col. 3, lines 5–10; col. 6, lines 10–21, manufacturing of chip using GUI or virtual configuration) for the purpose of providing easy design system . Therefore, it would have been obvious to a person skilled in the art at the time the invention was made to include the step of transmitting comprises programming the virtual configuration into a microchip for the purpose of providing easy design system in the device of Kemink in view of Foster because Kemink in view of Foster suggests transmitting the command code and Sakurai teaches the step of transmitting comprises programming the virtual configuration into a microchip.

Furthermore, Kemink in view of Foster and Sakurai teaches, in the art of chip design system, the step of manufacturing method of chip (col. 1, lines 6–12; col. 3, lines 5–10; col. 6, lines 10–21, manufacturing of chip using GUI or virtual configuration). Furthermore, one of ordinary skill in the art recognizes the method comprises the steps of shipping the microchip to predetermined location; and installing the microchip in the customizable consumer electronic device is manufacturing process. How–else electronic device is produced?, Therefore, it would

Art Unit: 2635

have been obvious to a person skilled in the art at the time the invention was made to include the steps of shipping the microchip to predetermined location; and installing the microchip in the customizable consumer electronic device in the device of Kemink because Kemink suggests transmitting the command code and one of ordinary skill recognizes the steps of shipping the microchip to predetermined location; and installing the microchip in the customizable consumer electronic device for the purpose of providing efficient manufacturing.

Claims 30 and 52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kemink in view of May et al. (5,892,451).

All subject matters except a verification of the method of payment, in claims 30 and 52 are disclosed in claims 1-2. However, May teaches, in the art of remote software management, a verification of the method of payment (col. 10, lines 53-64, method of payment associated with software metering of downloaded application) for software usage. Therefore, it would have been obvious to a person skilled in the art at the time the invention was made to include a verification of the method of payment in the device of Kemink because Kemink suggests transmitting the command code and Jerding teaches a verification of the method of payment for the purpose of providing software usage. Therefore rejection of the subject matters expressed in claims 30 and 52 are met by references and associated arguments applied to rejection of claims 1-2 and to rejection provided in the previous paragraph.

Claims 32-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kemink in view of Jerding et al. (6,629,227).

Regarding claim 32, Kemink teaches the method of claim 31, transmitting the command code. But Kemink does not teach how much memory will be used if the at least one of the plurality of command sets is downloaded.

However, Jerding teaches, in the art of memory management, how much memory will be used if the at least one of the plurality of command sets is downloaded (col. 10, lines 36–49, memory allocation in the memory manager 47 before downloading) for the purpose of providing memory allocation. Therefore, it would have been obvious to a person skilled in the art at the time the invention was made to include how much memory will be used if the at least one of the plurality of command sets is downloaded in the device of Kemink because Kemink suggests transmitting the command code and Jerding teaches how much memory will be used if the at least one of the plurality of command sets is downloaded for the purpose of providing memory allocation.

Regarding claims 33–34, Kemink teaches transmitting the command code. But Kemink does not teach percentage of memory allocation.

However, one of ordinary skill in the art recognizes percentage of memory allocation for the purpose of providing memory availability. Furthermore, memory management is the memory allocation statistics and percentage is one of statistical measures. Therefore, it would have been obvious to a person skilled in the art at the time the invention was made to include percentage of memory allocation in the device of Kemink because Kemink suggests transmitting the command code and one of ordinary skill recognizes percentage of memory allocation for the purpose of providing memory availability.

Claims 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kemink in view of Foster (6,211,870) as applied to claim 20 above, and further in view of Soloway (6,177,925).

Regarding claim 21, Kemink in view of Foster teaches transmitting the command code. But Kemink in view of Foster does not teach the means for labeling comprises computer generated labeling fitted in a recess.

However, Soloway teaches, in the art of remote control system, the means for labeling comprises computer generated labeling fitted in a recess (Fig. 4, abstract lines 1-15, labeling through printer) for the purpose of providing user-friendly control device. Therefore, it would have been obvious to a person skilled in the art at the time the invention was made to include the means for labeling comprises computer generated labeling fitted in a recess in the device of Kemink because Kemink suggests transmitting the command code and Soloway teaches the means for labeling comprises computer generated labeling fitted in a recess for the purpose of providing user-friendly control device.

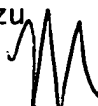
Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matsuichiro Shimizu whose telephone number is (703) 306-5841. The examiner can normally be reached on Monday through Friday from 8:00 AM to 4:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Horabik, can be reached on (703-305-4704). The fax phone number for the organization where this application or proceeding is assigned is (703-305-3988).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703-305-8576).

Matsuichiro Shimizu

April 30, 2004



MICHAEL HORABIK
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

